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Attorney Docket No. 3126.01US03

**REQUEST FOR CONTINUED EXAMINATION
 (RCE) TRANSMITTAL**

Mail Stop RCE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of Application No. 10/806,311, filed March 22, 2004 for: EMBOLISM PROTECTION DEVICES, by: Matthew F. Ogle.

1. Submission required under 37 C.F.R. § 1.114

a. ☒ Previously submitted

- ☒ Please enter in the present application the unentered Amendment under 37 C.F.R. § 1.116, with any attachments, filed on April 18, 2008 in said prior application.
- ☐ Consider the arguments in the Appeal Brief or reply Brief previously filed on _____
- ☒ Other Petition for Extension of Period for Response Under 37 C.F.R. § 1.136(a).

b. ☐ Enclosed

- ☐ A Preliminary Amendment is enclosed. Claims added by this Amendment are properly numbered consecutively beginning with the number next following the highest numbered claim in the prior application.
- ☐ Affidavit(s)/Declaration(s)
- ☐ Information Disclosure Statement (IDS)
- ☐ Other _____

2. ☒ The filing fee is calculated below:

	Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra (Equals)	Small Entity Rate	Add'l Fee	OR	Large Entity Rate	Add'l Fee
Total	23	- [27]**	=	x 25	\$0		x 50	\$
Indep.	1	- [3]***	=	x 105	\$0		x 210	\$
RCE fee				+ 405	\$405		+ 810	\$
Mult. Dep.			=	+ 185	\$		+ 370	\$
				TOTAL	\$405	OR	TOTAL	\$

☐ First Presentation of Multiple Dependent Claim (MDC)

06/17/2008 PCHOMP 00000028 503063 10006311

- * If the entry in Column 1 is less than the entry in Column 2, write "0" in Column 3. 02 FC:2881 405.00 DA
- ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.
- The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Column 1 of a prior Amendment or the number of claims originally filed.

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Filed March 22, 2008

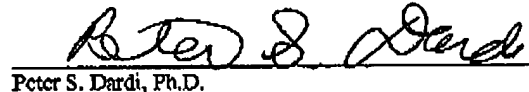
3. [X] The Commissioner is authorized to charge Deposit Account No. 50-3863 in the amount of \$465.00 to cover the RCE filing fee (\$405) and the one-month extension of time fee (\$60) (The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed). The Commissioner is hereby authorized to grant any extensions of time and to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required during the entire pendency of this application to Deposit Account No. 50-3863.

Respectfully submitted,

Peter S. Dardi, Ph.D.
Registration No. 39,650*Please grant any extension of time necessary for entry; charge any fee due to Deposit Account No. 50-3863.*

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office, Fax No. 571-273-8300 on the date shown below.

June 16, 2008
Date
Peter S. Dardi, Ph.D.